

From: Sean Brann
To: Microsoft ATR
Date: 1/23/02 3:32pm
Subject: Microsoft Settlement

To Whom It May Concern:

I am the principal of a consulting and software development company in Boston, Massachusetts. I am writing to express my concern about the Proposed Final Judgement in the Microsoft AntiTrust suit.

There are many problems with the PFJ as it now stands, and they are summed up nicely in Dan Kegel's open letter (to which I am a co-signer).

I am particularly concerned with the following four issues:

1. The PFJ fails to require Microsoft to release Middleware API documentation in a timely manner to competing Middleware vendors.
2. The PFJ's overly narrow definitions of "Microsoft Middleware Product" and "API" means that Section III.D.'s requirement to release information about Windows interfaces would not cover many important interfaces.
3. Restrictions the PFJ places on use of information about Microsoft's undocumented APIs
4. Although the PFJ requires Microsoft to offer to license certain intellectual property rights, but it does nothing to require Microsoft to clearly announce which of its many software patents protect the Windows APIs

Thank you for allowing me to voice my concerns with this settlement.

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